

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER R. LYONS, et al.,

Plaintiffs,

v.

AIR METHODS CORPORATION,

Defendant.

Case No. 20-cv-01700-PJH

ORDER OF DISMISSAL

The parties hereto, by their counsel, having advised the court that they have agreed to a settlement of this case pursuant to their settlement of a related action in the Alameda County Superior Court, Helmick, et. al., v. Air Methods Corp., RG-13665373 (the "Helmick action"), IT IS HEREBY ORDERED that this case is dismissed **without** prejudice; provided, however that if any party hereto shall certify to this court by December 15, 2022, with proof of service thereof on the opposing party, that the agreed consideration for said settlement has not been delivered over, the foregoing order shall stand vacated and this case shall forthwith be restored to the calendar to be set for trial. If no certification is filed before December 16, 2022, the dismissal shall be **with** prejudice. The parties may, of course, substitute a dismissal with prejudice at any time prior to December 16, 2022.

Notwithstanding the foregoing, any dismissal, whether with or without prejudice, shall not affect or limit any rights or duties under the settlement in the Helmick action, including, but not limited, to any rights to the injunctive relief provided therein.

IT IS SO ORDERED.

1 Dated: November 13, 2020

2 /s/ Phyllis J. Hamilton
3 PHYLLIS J. HAMILTON
4 United States District Judge
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